



**Nursing Care Quality Assurance Commission (NCQAC)
MINUTES
November 16, 2006 Workshop
November 17, 2006 Business meeting
Comfort Inn – Tumwater**

**Commission Members
Present:**

Judith D. Personett, EdD, Certified Nurse
Administrator Advanced (CNAA), RN, Chair,
Susan Wong, MBA, MPA, RN, Vice-Chair
Linda Batch, LPN
Erica Benson-Hallock, MPPA, Public Member
Richard Cooley, LPN
William Hagens, MA, Public Member
Todd Herzog, CRNA, RN
Rev. Ezra Kinlow, MTH, Public Member
Jackie Rowe, RN
Robert Salas, RN
Rhonda Taylor, MSN, RN
Mariann Williams, MPH, MSN, ARNP, RN
Susan Woods, PhD, RN, FAHA, FAAN

Pro tem members present:

Joanna Boatman, RN
Janet Claypool, MN, RN,
Catherine Dodson, MN, CGRN, RN
Helen Kuebel, MSN, RN
Christine Henshaw, EdD, RN
Louise Kaplan, PhD, MN, ARNP
Carolyn Nelson MA, BSN, RN
Cheryl Payseno, MPA, RN
Linda Wrynn, MS, RN

Assistant Attorney General:

Gail Yu, Assistant Attorney General

Staff present:

Paula R. Meyer, MSN, RN, Executive Director
Kris McLaughlin, Secretary
Chuck Cumiskey, BSN, MBA, RN, Nurse Practice Manager
Mary Dale, Nurse Discipline Manager
Taylor Stair, Health Services Consultant
Terry West, Health Services Consultant

Dr. Judith Personett, Chair person, called the NCQAC workshop to order at 9:05AM November 16, 2006.

9:00AM Government Management Accountability and Performance (GMAP)

On July 12, 2006, Mary Selecky and Laurie Jenkins presented the Health Professions Quality Assurance GMAP to Governor Gregoire and her cabinet. Dr. Personett attended the live presentation. A DVD of that presentation was shown to the NCQAC.

10:00AM Disciplinary paperwork – Rick Cooley, LPN

Mr. Cooley revised the NCQAC discipline worksheet to complement the HPQA sanctions worksheet. Both of these forms will work with the NCQAC Sanctioning Standards and the HPQA Sanctioning Guidelines to document decisions. The Case Summary Report then captures mitigating and aggravating circumstances. Mr. Cooley developed these forms so that they can be submitted electronically rather than through the postal service. Mr. Cooley presented the revised worksheet to the commission members and the edits will be made and presented at the January meeting.

11:00AM Fiduciary Responsibility – Cheryl Payseno, RN, MPA

Being a board or commission member requires a certain set of skills that are often unique and add to overall performance of the board. Public safety requires members to continually meet their fiduciary responsibility. Ms. Payseno reviewed the principles of fiduciary responsibility.

12 Noon to 1:30 PM Lunch

1:30 PM Health Professions Quality Assurance (HPQA) Disciplinary Policies and Procedures – Janet Staiger, Karen Caille, Larry Berg

The NCQAC members, staff, and staff attorneys worked in small groups to review the HPQA disciplinary policies and procedures. Time was allowed for small group presentations, questions and answers. While the NCQAC currently follows many of these policies and procedures, a request to adopt them will be made at the November 17 business meeting.

Closing: Dr. Personett adjourned the meeting at 3:45PM on November 16, 2006.

1. 8:30AM Opening

- **Call to order** – Dr. Judith Personett, called the meeting to order at 8:35AM November 17, 2006.
- **Introductions** – The Nursing Care Quality Assurance Commission (NCQAC) members, Department of Health (DOH) staff and audience introduced themselves.
- **Order of the Agenda** – A recommendation to reorder the agenda was made to the NCQAC.
 - **ACTION:** A motion was made and passed to reorder the agenda by moving item 11B prior to #5
 - **ACTION:** A motion made and passed to accept the order of the revised agenda.
- **Correspondence** – There was no correspondence.
- **Announcements** – Dr. Susan Woods announced the admission of the first sixteen students into the University of Washington's Nursing Practice Doctoral program.

2. Consent Agenda

Items listed under the consent agenda are considered routine agency matters and approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- A. Approval of minutes
 - 1. NCQAC business meeting
 - 2. NCQAC Disciplinary Hearing minutes
 - 3. Licensing and Discipline sub-committee
 - 4. Consistent Standards of Practice sub-committee
 - 5. Continuing Competency sub-committee
 - 6. Nursing Program Approval Panel (NPAP)
- B. National Council of State Boards of Nursing (NCSBN) correspondence
 - 1. 2006 Delegate Assembly Minutes
- C. DOH correspondence
 - 1. Letter from Washington State Nurses Association (WSNA) Joan Garner, to Bonnie King, HPQA Director, and response
- D. Licensing statistics
- E. DRAFT interagency opioid dosing guideline for chronic noncancer pain
<http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/default.asp>

DISCUSSION: Ms. Williams asked if there was a response to Joan Garner's letter, item 2C. Ms. McLaughlin will forward a copy of the letter to the commission members.

ACTION: A motion was made and passed to accept the consent agenda

3. **Chair Report – Dr. Judith Personett**

A. **Board, Commission and Committee Conference:**

DISCUSSION: Dr. Personett, Ms. Jackie Rowe and Mr. Bill Hagens presented a synopsis of the Annual Board/Commission/Committee leadership meeting held on September 28 and 29th. The theme for this conference was *The Patient Safety Partnership*. The meeting was opened by Ms. Laurie Jenkins, Health Systems Quality Assurance (HSQA) Assistant Secretary who presented a video on the Government Management Accountability and Performance (GMAP) that was recorded on July 12, 2006. It was noted that some of the items have been accomplished since the July GMAP forum:

- All twenty three Secretary Professions have adopted sexual misconduct rules; all board and commission professions are on target to adopt rules by the end of this year.
- All of the Secretary professions have adopted uniform sanction guidelines, which have been shared with all boards and commissions.
- Summary actions have begun based on out of state unprofessional conduct.
- National Databank checks have begun as well.

Other presenters were Joy King, HPQA Section 3 Executive Director, reported on the Boards, Commission, Committee survey results. Patti Latsch, HPQA Deputy Director, led a session on Ethics in Government, Jean Sullivan, Director of Washington Health Professional Services Program (WHPS) and Dr. Mick Oreskovich of the Washington Physicians Health Program discussed the latest information on chemical impairment. Mr. Andrew Mecca, HPQA Board of Pharmacy, gave a presentation on Legible Prescriptions. The last presentation of the day was given by Dr. Maxine Hayes, Washington State Public Health Officer who reported on the *"Bird Flu – The Coming Pandemic"*.

B. **Summary of the Citizen Advocacy Center (CAC) 2006 meeting**

DISCUSSION: Mr. Bill Hagens presented a synopsis on the 2006 CAC Annual Meeting that was held on October 17. The meeting was held at the Williamsburg Hospitality House in Williamsburg, Virginia. The meeting focused on the use of transparency to improve the accountability of health professional licensing boards and other oversight bodies. Links to the agenda, power point presentations and other supportive materials can be found on the CAC website <http://www.cacenter.org>

4. **Executive Director Report – Paula Meyer**

A. **Mega Memorandum of Understanding (MOU) with the Department of Social and Health Services**

DISCUSSION: Ms. Meyer reported the purpose is to assist the participating agencies in fulfilling their statutory mandates of protecting the public health, safety and welfare by investigating allegations against individual health care providers, health care facilities and, if necessary, taking disciplinary or regulatory action against them. The DOH/HPQA, Labor and Industries (L&I), Department of Corrections (DOC)/Health and Recovery Services Administration (HRSA) receive complaints from a variety of sources about the conduct of health care providers and others in health care settings. Each agency has its own process for screening these complaints to determine whether further investigation or action is warranted. The DOH/HPQA, L&I, DOC, and DSHS/HRSA wish to minimize the duplication of effort to the extent possible.

B. **NCQAC website – Terry West**

DISCUSSION: Ms. Terry West gave a presentation on navigating the website and welcomed suggestions from the commission and audience.

ACTION: A motion was made and passed for all commission members to review each page of the website and provide Ms. West with suggestions on navigability by the January meeting.

C. **HPQA Performance Audit – Paula Meyer**

DISCUSSION: Ms. Meyer reported that the audit began last Monday, November 4. At this time all Executive Directors and Program Managers have met with the auditors. The auditors are doing their assessment to find out what we do, what are the struggles and gathering information. A final report will be available in May 2007.

5. **Continuing Competency – Todd Herzog**

DISCUSSION: The morning of the business meeting was dedicated to small group work on the NCQAC and pro tem member's professional portfolios. RN staff members also presented their professional portfolios. There was discussion on the ease or level of difficulty in gathering the materials,

the time it took to compile the portfolio, benefits and concerns were shared. Washington State is not the only state involved in continuing competency there are several boards and commission working on the same project. North Carolina Board of Nursing took ten years to develop their program. A link to the North Carolina website where you can review their program is www.ncbon.com. The NCLEX exam is the first step in measuring competency. How can we continue to measure competency after the initial license?

- Sandy Templin, RN, from Providence St Peter's Hospital in Olympia gave an overview of their portfolio project. She explained that first they had to lay out the standards of practice at various levels of nursing practice, then self assessment which was incorporated into an action plan. Their project is similar to the North Carolina Board of Nursing. Ms. Templin reported that the biggest objection is the initial shock of the large packet of information for nurses to do on top of an already busy workload. But, after the nurses complete their evaluation they can appreciate the work they put into it. The value is in the reflection on their practice. The nurses are given a choice, this is not mandatory to participate in the portfolio project. Ms. Templin reported that it is still early to measure the data. An idea was brought forward to provide a professional day for the nurses to develop their portfolio.

Some of the suggestions from the workgroups were:

- finding the time to devote to the portfolio was stressful,
- finding and collecting the information was a challenge,
- providing nurses with a day off to work on project,
- nurses working in different capacities could be seen as a barrier,
- putting it all on paper but how does it get measured,
- must begin in schools and
- getting input from patients, families and co-workers should be included in portfolios.

ACTION: The notes taken from each group will be turned in to Mr. Herzog before the next subcommittee meeting which will be held November 21. All surveys were turned in to Mr. Herzog for the committee to review and gauge what the key learning's are.

6. Discussion Items – Not at this meeting.

11:30AM Executive Session if needed

The Executive Session is that part of a regular or special meeting closed to the public.

LUNCH

1:00PM–OPEN MIKE

Open mike is for public presentation of issues to the Nursing commission. If the public has issues regarding disciplinary cases, please call: 360-236-4727.

- *Pat Ward, from the Community and Technical College* spoke to the commission on clinical placement programs. The goal for all community and technical colleges to work together to develop a statewide centralized data base.
- *Thomas Herber*, made a request to the commission that he be grandfathered into Washington State as an RN. WAC 246-840-096 would need to be amended in order for him to be grandfathered into Washington. Mr. Herber, graduated from Excelsior College in 1981. He has practiced in Oregon since 1981 and as an RN since 1982. He became certified in Oregon in 1997 as a perioperative nurse. A copy of Mr. Herber's letter to the commission can be obtained by contacting the commission office at kris.mclaughlin@doh.wa.gov
- Joan Garner, representing Washington State Nursing Association, (WSNA) suggested that all newly licensed nurses in Washington should get an RN law book. Ms. Garner responded to the letter she received from Bonnie King that had 5 items on it, 1 being that the nursing commission is not listed in the phone book either under DOH or boards of nursing, She would like the newsletter to be a priority. She understands that you can download the WAC's from the website but not all nurses have that capability.

7. 2007 Hearing Dates, Business Meeting Dates, and Locations – Paula Meyer and Mary Dale- DISCUSSION/ACTION

DISCUSSION: The Business Meetings dates were changed at the May, 2006 meeting to better meet the needs of the public and commission members. Ms. Rhonda Taylor made a suggestion to change the location of the September, 2007 business meeting to Yakima. The hearing dates for 2007 were discussed as well. An opportunity exists to change the regular schedule of the meetings to better serve the public. The proposed changes to the hearing dates are all scheduled for Thursdays. It was suggested to consider having the hearings in Educational facilities.

Proposed Workshop and business meeting changes scheduled for 2007:

January 12, 2007- DOH

March 9, 2007 – Hilton Garden Inn – Spokane

May 11, 2007 - DOH

July 12, 13, 2007 – DOH

September 14, 2007 – Yakima

November 15, 16, 2007 – DOH

Proposed disciplinary hearings changes scheduled for 2007:

Hearings – all at DOH

January 11, 2007

February 15, 2007

March 15, 2007

April 12 2007

May 17, 2007

June 28, 2007

July 26, 2007

August 30, 2007

September 27, 2007

October 25, 2007

November 29, 2007

ACTION: A motion was moved and passed to move the September, 2007 business meeting to Yakima and Colville September 2008. The motion passed with seven in favor, three opposed and two abstained. A motion was made and passed to accept the proposed hearing dates. All hearings will be held at the DOH in Tumwater.

8. Medical Quality Assurance Commission's rules on the Use of Laser's – Medical Quality Assurance Commission (MCQAC)

DISCUSSION: The Medical Commission developed rules related to the use of lasers, light, radiofrequency, and Plasma devices by licensed and unlicensed personnel. Ms. Beverly Thomas and Mr. Mike Ferrell DOH gave a presentation on the draft language and the outcomes. The NCQAC discussed the rules and gave feedback on the language. It was discussed that the onus was on the practitioners, RN, LPNs, dental hygienist, estheticians. Handouts of the power point presentation can be obtained by contacting Beverly.thomas@doh.wa.gov

9. Nursing Program Approval Procedure (NPAP) – Paula Meyer - DISCUSSION/ACTION

The Nursing Education WACs were revised, effective June 26, 2005. The procedure for the Nursing Program Approval Panel to implement these new rules has been revised for review and action.

DISCUSSION: An addendum of the NPAP procedure that was included in the packets was distributed.

ACTION: A motion was made and passed to accept the NPAP procedure.

10. Health Professions Quality Assurance Discipline Policies and Procedures – Paula Meyer and Mary Dale

DISCUSSION: The NCQAC reviewed and discussed the HPQA discipline policies and procedures at the November 16 workshop.

ACTION: A motion was made and passed to *accept* the following procedures: 201, 202, 203, 204, 206, 207, 208 to adopt with revisions to 3A letter to respondent, 212, 214, 215, 216, 221, 223, 231, 232 with typo changes and term “ team to panel”, 241 with renumbering, 242 with corrections to typo change from STID, 243, 251, 252, 253, 254, 262, 263, 271 with typo revisions. A motion was made and passed to *not* approve the following procedures: 213, 205, 213

11. Sub-committee reports – DISCUSSION/ACTION

A. Discipline and Licensing – Jackie Rowe, Chair - DISCUSSION/ACTION

DECISION: Ms. Rowe gave an update on the discipline and licensing subcommittee. Ms. Stair added the list of tools of how to get mandatory reporting rules out to the public. They are working on a CD and Power Point first and do have draft language. Needs to be clear as to where to find mandatory reporting rules. Possibly adding a link to the web site directory. They are still working on draft language.

B. Consistent Standards of Practice - Rhonda Taylor, Chair - DISCUSSION/ACTION

DISCUSSION: Ms. Taylor made a suggestion on behalf of the Consistent Standards of Practice subcommittee to suspend separate work for the time being in order to work with the Continuing Competency Subcommittee and revisit it in April, 2007. The Consistent Standards Subcommittee will be invited to participate in all continuing competency conference calls.

ACTION: A motion was made and passed to suspend separate committee action and join with the work of the Continuing Competency Subcommittee until the April commission meeting.

C. Continuing Competency – Todd Herzog, Chair - DISCUSSION/ACTION

DISCUSSION: Mr. Herzog reported that it was a statutory mandate and in March, 2004 the NCQAC supported the concept of Continuing Competency. At the November, 2005 NCQAC business meeting a motion was made and passed to adopt the continuing competency pilot project. Mr. Herzog explained the North Carolina website on continuing competency which took about ten years to develop. The plan is to collate information from the four work groups from the discussion and bring it to the subcommittee for discussion.

CLOSING:

DISCUSSION: Ms. Rowe requested to form a task force to look at refresher programs on the January business meeting agenda. She suggested to develop a one page criteria that when a person is out of practice or result of disciplinary action they need an evaluation from their preceptor on how they did in the course, and their ability to do team work, not just pass or fail.

A comment was made that seeking reinstatement is longer than usual as it is part of licensure.

Mr. Rick Cooley made a suggestion that all commission members be provided with laptops and a secure website. He suggested that the commission needs to move forward into the future technology.

Ms. Meyer reminded the commission that when anything comes to you regarding chemical dependency that WHPS is offered. Some cases they review, the respondent has contacted WHPS or is in WHPS. A question was asked if something could be put in the file if someone has entered the WHPS program. If someone enters into WHPS the case should be closed.

Closing – Dr. Personett adjourned the meeting at 2:30PM November 17, 2006. Notes were taken by Ms. Kris McLaughlin.